APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,505	07/08/2003	Jean-Luc Collet	FR920020050US1	9234

			EXAMINER
45095	7590	05/10/2006	BOTTS, MICHAEL K

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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 March 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This document is a Final Office Action on the merits.   This action is responsive

to the following communications: Response to Office Action, which was filed on March

1, 2006.

2.   Claims 1-17 are currently pending in the case, with claims 1, 9, and 10 being the

independent claims.

3.   Claims 1-8 were rejected under 35 U.S.C 112, first paragraph, as failing to

comply with the enablement requirement. Applicants have amended claim 9, which

obviates the rejection. Accordingly, the rejections are withdrawn

4.   Claims 9 and 10 were rejected under 35 U.S.C. 112, second paragraph, for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. The Applicants have appropriately amended the claims to

make them independent claims and have obviated the rejection. Accordingly, the

rejections are withdrawn.

5.   Claim 2 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention, specifically in not being further limiting of its independent

claim. Upon consideration of Applicants' arguments that claim 1 is limited to the

"selection" of a "file format profile," and that claim 2 is limited to the "creation" of a "file

format profile," the rejection withdrawn.

6.   Claim 1-8 were rejected under 35 U.S.C. 101 as lacking patentable utility.

Applicants have amended claim 9, which obviates the rejection. Accordingly, the

rejections are withdrawn.

7.   Claims 9 and 10 were rejected under 35 U.S.C. 101, as improper hybrid claims.

The Applicants have appropriately amended the claims to make them independent

claims and have obviated the rejection. Accordingly, the rejections are withdrawn.

8.   Claims 1-17 are rejected.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9.   **Claims 1-17** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Khoyi, et al. (U.S. Patent 5,303,379) [hereinafter "Khoyi"].

Regarding **independent claim 1 as currently amended**, Khoyi states:

A method for formatting a plurality of source text files to be imported into a

spreadsheet file comprising the steps of:

     a) selecting a file format profile to be associated to each of the plurality of

source text files, the plurality of file format profile including at least one identifier

with a corresponding formatting instruction;

(See, Khoyi, col. 13, lines 36-37, stating: "Document objects represent text and

associated formatting information." See also, Khoyi, col. 73, line 11 through col. 74,

lines 2, teaching functions for text handling, including to set attributes and change fonts.

See also, Khoyi, col. 27, lines 20-36, teaching a resource file with a customization file

with a customization ID and a resource file with a customization ID.)

     b) creating a source-format link between the plurality of source text files

and the selected plurality of file format profiles;

     c) importing the plurality of source text files into the spreadsheet file;

     d) creating a location link between the imported plurality of source text

files and their locations into the spreadsheet file; and

(See, Khoyi, col. 13 line 32 through col. 22, line 15, teaching "encapsulation" and

"linking," whereby text to be incorporated in an object of a different data type,

specifically including a spreadsheet, is incorporated via links between the text and "link

markers" within the other data type.")

     e) applying the selected plurality of file format profiles to the imported

plurality of source text files by using the source-format link and the location link.

(See, Khoyi, col. 19, lines 50-51, stating: "Linking makes data from a child object

appear in a parent object.")

Regarding **dependent claim 2**, Khoyi states:

> *The method of claim 1 further comprising before step a) a step of creating*
>
> *at least one file format profile including at least one identifier with a*
>
> *corresponding formatting instruction.*

(See, Khoyi, col. 27, lines 20-36 teaching a customization table including combinations

of resource ID, resource file, and customization ID.)

Regarding **dependent claim 3**, Khoyi states:

> *The method of claim 2 further comprising a step of storing the created at*
>
> *least one file format profile into a file format profile database.*

(See, Khoyi, col. 60, lines 5-37, teaching the creation of a User Profile to store the

customized version of a resource.)

Regarding **dependent claim 4**, Khoyi states:

> *The method of claim 1 further comprising after step a) the step of*
>
> *modifying the selected file format profile.*

(See, Khoyi, col. 19, lines 50-53, teaching modification of the file format profile as a

child object. See also, Khoyi, col. 73, lines 19-25, teaching a set attributes function to

edit text attributes.)

Regarding **dependent claim 5**, Khoyi states:

> *The method of claim 4 further comprising a step of storing the modified*
>
> *selected file format profile into the file format profile database.*

(See, Khoyi, col. 60, lines 5-37, teaching the creation of a User Profile to store the

customized version of a resource. See also, Khoyi, col. 60, lines 5-37, teaching the

creation of a User Profile to store the customized version of a resource.)

Regarding **dependent claim 6**, Khoyi states:

> *The method of claim 1 further comprising after step d) a step of storing the*
>
> *location link into a spreadsheet user profile database.*

(See, Khoyi, col. 19, line 45 through col. 22, line 15, teaching linking. See also, Khoyi,

Figure 5, and col. 30 line 34 through col. 31, line 19, teaching a link table.)

Regarding **dependent claim 7**, Khoyi states:

> *The method of claim 1 wherein the spreadsheet file is created by a*
>
> *spreadsheet program.*

(It is inherent that a spreadsheet file in an electronic document is created by a

spreadsheet program. See, Khoyi, col. 13, line 44 and col. 14, line 11, teaching

spreadsheet programs.)

Regarding **dependent claim 8**, Khoyi states:

> The method of claim 1 further comprising after step e) a step of deleting the location link.

(See, Khoyi, col. 31, lines 12-15, teaching "Delete Flag" to delete a link.)

Regarding **dependent claim 9, as currently amended**:

(Claim 9 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

Regarding **dependent claim 10, as currently amended**:

(Claim 10 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

Regarding **dependent claim 11**, Khoyi states:

> The method of claim 1, wherein each of the plurality of source text files have a specific format.

(See, Khoyi, col. 41, lines 6-20, teaching that the formatting of multiple files may be examined and those which do not match the target format may be "partially or completely converted.")

Regarding **dependent claim 12**, Khoyi states:

> *The method of claim 1, wherein the at least one identifier generates an*
>
> *action in the spreadsheet file.*

(It is noted that an "identifier" is disclosed in the application within the context of

identifying a source file format with formatting instructions for formatting on importation

of the a file. See, disclosure, page 3, lines 12-25. See, Khoyi, col. 41, lines 6-20,

teaching that the formatting of multiple files may be examined and those which do not

match the target format may be "partially or completely converted." In that the format is

identified by the invention in Khoyi, and that an action results in the partial or complete

conversion of a file, it is inherent that there exist an identifier generating the action.)

Regarding **dependent claim 13**, Khoyi states:

> *The method of claim 1, wherein the at least one identifier further*
>
> *comprises a plurality of identifiers, wherein each identifier generates a unique*
>
> *action in the spreadsheet file.*

(It is noted that an "identifier" is disclosed in the application within the context of

identifying a source file format with formatting instructions for formatting on importation

of the a file. See, disclosure, page 3, lines 12-25. See, Khoyi, col. 41, lines 6-20,

teaching that the formatting of multiple files may be examined and those which do not

match the target format may be "partially or completely converted." In that the format is

identified by the invention in Khoyi, and that an action results in the partial or complete

conversion of a file, it is inherent that there exist an identifier generating the action. The

plurality of identifiers are inherent in the stated function of identifying a variety of source

formats. See, Khoyi, col. 41, lines 6-20.)

Regarding **dependent claim 14**, Khoyi states:

> *The method of claim 1, wherein the location link further comprises a*
>
> *directory path to the source text files; and*
>
> *the location link contains a related location and a size of each of the*
>
> *imported plurality of source text files.*

(See, Khoyi, figure 6-9, and col. 40, line 30 through col. 32, line 34, teaching a directory

path to the source files, and location links including the size of the imported plurality of

source text files.)

Regarding **dependent claim 15**, Khoyi states:

> *The method of claim 1, wherein the source-format link stores a format*
>
> *action applied to the spreadsheet file after the importing.*

(See, Khoyi, figure 6-9, and col. 40, line 30 through col. 32, line 34, teaching storing

originating information on imported files.)

Regarding **dependent claim 16**, Khoyi states:

> *The method of claim 1, wherein the applying further comprises executing*
>
> *a set of formatting instructions based on the at least one identifier contained in*
>
> *the file format profile.*

(See, Khoyi, figure 6-9, and col. 40, line 30 through col. 32, line 34, teaching the matchmaking function which identifies a common format.)

Regarding **dependent claim 17**, Khoyi states:

> *The method of claim 8, further comprising updating a spreadsheet user*
>
> *profile to correspond with the deletion.*

(See, Khoyi, col. 84, lines 41-42, teaching that an index of deletions may be retained, as at the user's option.)

10.   It is noted that citations to specific, pages, columns, lines, or figures in the prior art references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

Applicants' arguments filed March 1, 2006 have been fully considered, but they are not persuasive.

Regarding rejections of **claims 1-10** under 35 U.S.C. 102(b):

Applicants argue that Khoyi fails to disclose "importing the plurality of source text files into the spreadsheet file." Further, Applicants argue: ":Contrary to Examiner's assertion, Khoyi only speaks to a linking mechanism for linking data between objects

(see Title; claim preambles) and not to an importation." Still further, Applicants argue: "Clearly, there is no importation of objects, nor of source text files, in that the objects, in Khoyi are merely linked and yet remain residing as child objects." See, Amendment, filed March 1, 2006, page 7.

The Examiner disagrees.

Khoyi expressly teaches the importation of objects and that the linking of the objects as child files manifests the data in the parent files. See, Khoyi, col. 19, lines 50-51, stating: "Linking makes data from a child object appear in a parent object." See also, Khoyi, col. 35, lines 3-4, stating: "IMPORT: (optional) take an existing file an make it into an object." Additionally, Khoyi teaches that a copy of the source data is "placed within" the destination objects and becomes, with certain exceptions described below, a part of the destination object. See, Khoyi, col. 42, lines 56-60.

Regarding the rejection of claim 1-17, as amended, under 35 U.S.C. 102(b):

Applicants argue that Khoyi does not disclose "formatting and eventually importing a "plurality" of source text files, as in the present invention." See, Amendment, filed March 1, 2006, page 7.

The Examiner disagrees.

Initially, it is noted that the limitation of a "plurality of source text files" did not appear as a limitation until the present amendment, and was not considered by the Examiner in the First Office Action.

Khoyi expressly teaches a plurality of files an the formatting of them for

importation. See, Khoyi, col. 41, lines 6-20, teaching that the formatting of multiple files

may be examined and those which do not match the target format may be "partially or

completely converted."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS for the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael K. Botts whose telephone number is 571-272-

5533. The examiner can normally be reached on Monday through Friday 8:00-4:00

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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